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CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 1381**

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**Introduced by Assembly Member Nunez**  
**(Principal coauthors: Assembly Members Frommer and Wyland**  
***coauthor: Assembly Member Frommer*)**  
**(Principal coauthors: Senators Perata and Romero)**

February 22, 2005

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An act to amend Section 35400 of, and to add and repeal Chapter 5 (commencing with Section 35900) of Part 21 of, the Education Code, relating to school district governance.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1381, as amended, Nunez. School district governance: Los Angeles Unified School District.

(1) Existing law authorizes the Inspector General of the Los Angeles Unified School District to conduct specified audits, investigations, and related activities.

This bill would require the inspector general be appointed by the Los Angeles Unified School District Board of Education and that all employment decisions related to the inspector general would be managed by the board in a manner consistent with any existing

contracts under which the inspector general is employed. *The bill would prohibit the dismissal of the inspector general except for violations of the terms of employment or law.*

(2) Existing law requires every school district to be under the control of a board of school trustees or a board of education. Existing law requires any unified school district which is coterminous with or includes within its boundaries a chartered city or city and county to be governed by the board of education provided for in the charter of the city or city and county. Existing law authorizes the governing board of any school district employing 8 or more teachers to employ a district superintendent for one or more schools and to define the duties of the superintendent.

Existing law authorizes the governing board of a school district or a county board of education, on a districtwide or countywide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, to request the State Board of Education to waive all or part of any provision of the Education Code or any regulation adopted by the state board that implements a provision of that code, except for specified provisions. Existing law requires that a properly submitted waiver request be deemed granted and approved for one year, commencing the first day of the following month, if the state board fails to take action on the request by its second regular meeting after the receipt of the request.

Existing law, the California Constitution, requires the state board to adopt instructional materials for grades 1 to 8, inclusive. Existing statutory law requires the governing board of a school district to adopt instructional materials for use in the high schools under its control. Existing law requires the state board to adopt content standards in defined curricula, as specified.

Existing law requires the governing board of each school district to develop and cause to be implemented for each school in the school district a School Accountability Report Card.

This bill would permit the Superintendent of the Los Angeles Unified School District to request, after a public hearing, that the state board waive all or part of any section of the Education Code, except as specified, and would deem the waiver granted for two years, commencing the first day of the following month, if the state board fails to take action on the request by its second regular meeting after, or 60 days after, receipt of the request, whichever is sooner. The bill would require a request for a waiver to include specified written

statements if the exclusive representative of employees responds with its position on the proposed waiver within 2 weeks of its receipt of the request from the district superintendent.

This bill would authorize the district superintendent to appoint and dismiss the personnel of his or her office, and to appoint and dismiss a principal of a school within the Los Angeles Unified School District (LAUSD) ~~after consultation, and to consult~~ with parents of pupils enrolled at the school to which the principal is assigned, community leaders, and schoolsite personnel *regarding the appointment and dismissal of the school principal*, subject to ratification by the LAUSD Board of Education. The bill would limit the authority of the district superintendent by requiring that those employment decisions be in conformance with applicable collective bargaining agreements and contracts and in a manner that is consistent with other specified provisions.

This bill would grant the district superintendent authority over the fiscal operations of the LAUSD, including, but not limited to, the negotiation and execution of contracts, subject to all other requirements of law. *The bill would require the district superintendent to report all executed contracts to the LAUSD board, as provided.* The bill would limit the authority of the district superintendent to contract with private parties regarding the personal services that, as of January 1, 2007, are provided by represented employees of the LAUSD, as specified. ~~The bill would authorize the district superintendent to make decisions regarding litigation involving the LAUSD, and, for purposes of this authority, would exempt the LAUSD from the provision regarding the electors of a school district being able to petition to vote on a settlement, as specified.~~ The bill would limit the authority of the district superintendent by requiring that any decisions impacting the employment rights of LAUSD employees not conflict with specified provisions regarding employment.

This bill would require the district superintendent to annually present a proposed budget for the LAUSD for the succeeding fiscal year to the council of mayors established by this bill at a public meeting in May of each year for its review and comment prior to the adoption of the budget by the LAUSD board. The bill would grant the LAUSD board the authority to provide the final approval of any revenue and expenditure allocations at the object level and to approve any budget revisions that would result in a change in revenue or object level expenditure allocations, but would limit the authority of the

LAUSD board and the council of mayors to budgetary matters no more specific than the object level. The bill would require the district superintendent to be responsible for fiscal reporting requirements to the county board of education, the State Department of Education, and the Superintendent of Public Instruction.

This bill would require the administrative staff of the LAUSD to be employed by the district and not by individual LAUSD board members. The bill would grant the LAUSD board the power to make employment decisions related to the staff that are not inconsistent with any collective bargaining agreement or contract. The bill would require the district superintendent to manage all LAUSD personnel other than the staff of the LAUSD board, except the inspector general of the LAUSD.

This bill would require the district superintendent and board, when selecting curriculum and instructional materials *for the LAUSD*, to ensure that teachers and certificated staff have an authentic and central role; a majority of curriculum committee participants are classroom teachers; basic instructional materials for kindergarten and grades 1 to 8, inclusive, are state board adopted materials; basic instructional materials for grades 9 to 12, inclusive, are aligned to state content standards, if content standards exist for the applicable subjects; and there is a wide selection of supplemental instructional materials that are consistent with the needs of pupils and available for use at schoolsites.

This bill requires the district superintendent to develop and manage a facilities program for the LAUSD, as specified. The bill requires the council of mayors to advise the district superintendent regarding the facilities program pursuant to specified authority, but requires that the district superintendent retain all decisionmaking power regarding the facilities program. The bill expresses the intent of the Legislature that the district superintendent take over and be responsible for all district-level, rather than school-level, requirements related to facilities, and that the LAUSD, through the district superintendent, remain subject to all laws regarding the review and approval of decisions of the district by state agencies regarding school facilities of the district. The bill provides that any eminent domain proceedings related to school facilities of the LAUSD require approval by the LAUSD board.

This bill would establish the council of mayors, composed of certain city mayors and county board of supervisors within the boundaries of

the LAUSD. The bill would authorize the council of mayors to select a representative and have that representative participate in all aspects of the selection and evaluation by the LAUSD board of the district superintendent, as provided; would require the appointment, contract term, contract renewal, or involuntary removal of the district superintendent to be ratified by the council of mayors, *as provided*; and would require the district superintendent to provide, as specified, each School Accountability Report Card for each school of the district to the council of mayors on an annual basis for review and comment. The bill would also require the council of mayors to have certain roles, including, among others, oversight over the creation, coordination, support, and completion of joint-use projects involving the LAUSD and providing local governmental input in the development of school construction strategic plans and determining schoolsite locations for the district.

This bill would require the Mayor of the City of Los Angeles, in partnership with the LAUSD, parent and community leaders and organizations, and school personnel and employee organizations, to, as part of a demonstration project, have oversight over three clusters of the lowest-performing schools in different geographic areas within the City of Los Angeles. The bill would require each cluster to include a high school that is ranked in decile 1 of the Academic Performance Index and its feeder middle and elementary schools. The bill would require the high schools for each cluster to be selected by the Los Angeles Mayor and the district superintendent within specified timelines, and would require the Superintendent of Public Instruction to make that selection if the selection is not made within the deadline. The bill would specify the purposes of the demonstration project. The bill would require all authority exercised by the LAUSD board and the district superintendent with respect to the schools in the demonstration project to be transferred to the partnership, except as specified. The bill would provide that the schools in the demonstration project continue to exist as district schools and continue to be funded with existing resources and private donations.

This bill would require the Legislative Analyst to contract for an evaluator to conduct an interim evaluation of the effectiveness of the specified LAUSD programs to be completed on or before January 1, 2009 2008; conduct a final evaluation to be completed by January 1, 2011; and report to the Legislature and the Governor on the final evaluation, including recommendations to continue, modify, or

terminate the programs, by January 1, 2011, based upon the results in meeting specified measurements of the effectiveness of the programs based on a comparison of the LAUSD and its component schools and pupils in 2006 relative to the time of the evaluation of the LAUSD and its component schools and pupils. The bill would require the evaluation to include, but not be limited to, whether schools participating in the Los Angeles Mayor's Community Partnership for School Excellence, other schools in the LAUSD, and the LAUSD as a whole accomplished, and, in specified instances, to what degree they accomplished, specific goals.

This bill would repeal these provisions as of January 1, 2013.

To the extent this bill would impose additional duties on officials of local agencies and local educational agencies, this bill would impose a state-mandated local program.

(3) This bill would declare that, due to special circumstances applicable to the LAUSD, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 35400 of the Education Code is  
2 amended to read:  
3 35400. (a) The Los Angeles Unified School District Board of  
4 Education shall appoint an inspector general and shall make any  
5 employment decisions related to the inspector general, except to  
6 the extent that a decision violates the terms of the employment  
7 contract under which the inspector general is employed as of  
8 January 1, 2007. *The inspector general may not be dismissed by*

1 *the Los Angeles Unified School District Board of Education,*  
2 *except for violations of the terms of employment or law.*

3 (b) The inspector general of the Los Angeles Unified School  
4 District is authorized to conduct audits and investigations. The  
5 inspector general may subpoena witnesses, administer oaths or  
6 affirmations, take testimony, and compel the production of all  
7 information, documents, reports, answers, records, accounts,  
8 papers, and other data and documentary evidence deemed  
9 material and relevant and that reasonably relate to the inquiry or  
10 investigation undertaken by the inspector general when he or she  
11 has a reasonable suspicion that a law, regulation, rule, or district  
12 policy has been violated or is being violated. For purposes of this  
13 section, “reasonable suspicion” means that the circumstances  
14 known or apparent to the inspector general include specific and  
15 articulable facts causing him or her to suspect that a material  
16 violation of law, regulation, rule, or district policy has occurred  
17 or is occurring, and that the facts would cause a reasonable  
18 officer in a like position to suspect that a material violation of a  
19 law, regulation, rule, or district policy has occurred or is  
20 occurring.

21 (c) Subpoenas shall be served in the manner provided by law  
22 for service of summons. Any subpoena issued pursuant to this  
23 section may be subject to challenge pursuant to Chapter 2  
24 (commencing with Section 1985) of Title 3 of Part 4 of the Code  
25 of Civil Procedure.

26 (d) For purposes of this section, Sections 11184, 11185,  
27 11186, 11187, 11188, 11189, 11190, and 11191 of the  
28 Government Code shall apply to the subpoenaing of witnesses  
29 and documents, reports, answers, records, accounts, papers, and  
30 other data and documentary evidence as if the investigation was  
31 being conducted by a state department head, except that the  
32 applicable court for resolving motions to compel or motions to  
33 quash shall be the Superior Court for the County of Los Angeles.

34 (e) Notwithstanding any other provision of the law, any person  
35 who, after the administration of an oath or affirmation pursuant  
36 to this section, states or affirms as true any material matter that  
37 he or she knows to be false is guilty of a misdemeanor  
38 punishable by imprisonment in a county jail not to exceed six  
39 months or by a fine not to exceed five thousand dollars (\$5,000),  
40 or by both that fine and imprisonment for the first offense. Any

1 subsequent violation shall be punishable by imprisonment in a  
2 county jail not to exceed one year or by a fine not to exceed ten  
3 thousand dollars (\$10,000), or by both that fine and  
4 imprisonment.

5 (f) The inspector general shall submit an interim report to the  
6 Legislature by July 1, 2000, annual interim reports by July 1 of  
7 each succeeding year, and a final cumulative report by December  
8 1, 2014, on all of the following:

9 (1) The use and effectiveness of the subpoena power  
10 authorized by this section in the successful completion of the  
11 inspector general's duties.

12 (2) Any use of the subpoena power in which the issued  
13 subpoena was quashed, including the basis for the court's order.

14 (3) Any referral to the district attorney or the Attorney General  
15 if the district attorney or Attorney General declined to investigate  
16 the matter further or declined to prosecute.

17 (g) This article shall remain in effect only until January 1,  
18 2015, and as of that date is repealed, unless a later enacted  
19 statute, that is enacted before January 1, 2015, deletes or extends  
20 that date.

21 SEC. 2. Chapter 5 (commencing with Section 35900) is  
22 added to Part 21 of the Education Code, to read:

23  
24 CHAPTER 5. LOS ANGELES UNIFIED SCHOOL DISTRICT  
25 ADMINISTRATION

26  
27 Article 1. General Provisions

28  
29 35900. (a) The Legislature finds and declares both of the  
30 following:

31 (1) As the largest school district in California and an urban  
32 district with high numbers of pupils from historically  
33 disadvantaged groups, the Los Angeles Unified School District  
34 has unique challenges and resources that require and deserve  
35 special attention to ensure that all pupils are given the  
36 opportunity to reach their full potential.

37 (2) The freedom to deviate from the strictures of generally  
38 applicable education statutes and regulations while maintaining  
39 the constant commitment to fairness and equity, and to increasing  
40 achievement among all pupils regardless of background, is



1 central to the success of quality schools in California and is  
2 appropriate, as a concept, for the unique circumstances of the Los  
3 Angeles Unified School District.

4 (b) It is the intent of the Legislature that the Los Angeles  
5 Unified School District achieve the following pupil learning  
6 expectations through the enactment of this chapter:

7 (1) Significantly improved pupil learning based on the  
8 academic standards of the state, graduation requirements, and  
9 other standards for assessing the achievement of pupils.

10 (2) Significantly improved graduation rates and significantly  
11 reduced dropout rates.

12 (3) A reduction in the academic achievement gap between  
13 Latino, African-American, White, and Asian pupils so that all  
14 pupils are attaining similar, acceptable levels of academic  
15 achievement.

16 (4) Parent satisfaction with the schools that their children  
17 attend.

18 (5) English language learner success.

19 (c) It is the intent of the Legislature that the schools and  
20 administration of the Los Angeles Unified School District ensure  
21 that:

22 (1) All schools are clean and safe places for pupils and school  
23 staff.

24 (2) Each pupil has a qualified teacher who has had appropriate  
25 professional development for the one or more grades and subjects  
26 that he or she teaches.

27 (3) Each school has a principal who has had high quality  
28 professional development to improve his or her ability as an  
29 educational leader to assist in improving teaching and learning at  
30 the school to which he or she is assigned, in building strong  
31 educational teams, and in promoting parental involvement and  
32 community relations.

33 (4) There is transparency in the fiscal affairs of the schools  
34 and the school district.

35 (5) Teachers and parents are full partners in the decisions that  
36 affect schools.

37 (6) The district is decentralized to reduce bureaucracy and  
38 transfer resources to schools and classrooms.

39 (7) Class sizes are at or below statewide averages for the  
40 corresponding grade levels.

(8) The school community is held accountable for the achievement of the goals described in this section.

(d) It is further the intent of the Legislature that, in performing the school-related duties set forth in this chapter, the council of mayors described in Section 35920 and the partnership described in Section 35931, which includes the Mayor of the City of Los Angeles, function as local educational agencies authorized to maintain public schools, similar to a school district or county office of education. The council of mayors and the partnership are, therefore, a part of the public school system of the state in performing the duties established in this chapter within the meaning of Section 6 of Article IX of the California Constitution.

35901. For purposes of this chapter, the following terms have the following meanings, unless the context in which they appear clearly requires otherwise:

(a) “Board” means the Los Angeles Unified School District Board of Education.

(b) “District superintendent” means the Superintendent of the Los Angeles Unified School District.

(c) “LAUSD” means the Los Angeles Unified School District.

## Article 2. Operational Flexibility

35910. (a) Notwithstanding Section 33050, the district superintendent, on a districtwide basis or on behalf of one or more of the schools or programs of the LAUSD, after a public hearing on the matter, may request the state board to waive all or part of any section of this code or any regulation adopted by the state board that implements a provision of this code, except that a waiver of the provisions specified in subdivisions (a), (b), and (c) of Section 33050, or of any law that cannot constitutionally be waived, shall not be requested or granted.

(b) A request for a waiver made pursuant to this section shall include the written statement required pursuant to subdivision (d) of Section 33050 if the exclusive representative of employees specified in that section responds with its position on any proposed waiver within two weeks of its receipt of a request from the district superintendent.

(c) If the state board does not approve or deny a waiver request submitted by the district superintendent pursuant to this

1 section by the completion of the second regular meeting of the  
2 state board after, or within 60 days of, receiving the request,  
3 whichever date is sooner, the request shall be deemed approved  
4 for two years, commencing the first day of the following month.

5 35911. (a) The district superintendent shall have the  
6 authority to appoint and dismiss the personnel of the Office of  
7 Superintendent of the LAUSD.

8 (b) The district superintendent shall have the authority to  
9 appoint and dismiss a principal of a school within the LAUSD  
10 ~~after consultation and may consult~~ with community leaders,  
11 schoolsite personnel, and parents of pupils enrolled at the school  
12 to which the principal is assigned. However, the appointment or  
13 dismissal of a principal pursuant to this subdivision is subject to  
14 ratification by the board.

15 (c) Employment actions made by the district superintendent  
16 pursuant to this section shall conform with any collective  
17 bargaining agreements or contracts under which an employee is  
18 employed.

19 (d) The intent of the Legislature in enacting this section is to  
20 transfer the responsibility for the applicable employment  
21 decisions from the board to the district superintendent, except as  
22 specified. This section does not alter Part 25 (commencing with  
23 Section 44000) of ~~the Education Code~~ *this code* or Chapter 10.7  
24 (commencing with Section 3540) of Division 4 of Title 1 of the  
25 Government Code, except to the extent that the authority over the  
26 applicable employment decisions is expressly transferred to the  
27 district superintendent.

28 35912. (a) (1) The district superintendent shall have the  
29 authority over the fiscal operations of the LAUSD, including, but  
30 not limited to, the negotiation and execution of contracts. For  
31 purposes of negotiating and executing contracts, the district  
32 superintendent is subject to the otherwise applicable  
33 requirements of law, including statutory or regulatory  
34 competitive bidding procedures and best contracting practices. *In*  
35 *addition, the district superintendent shall report to the board on*  
36 *all contracts at the next regularly scheduled public meeting of*  
37 *the board following the execution of the contract.*

38 (2) A decision by the district superintendent to contract with a  
39 private individual or business entity for personal services that, as

1 of January 1, 2007, are provided by represented employees of the  
2 LAUSD shall comply with Section 45103.1.

3 ~~(b) The district superintendent shall have the authority to make~~  
4 ~~decisions regarding litigation involving the LAUSD, including,~~  
5 ~~but not limited to, nonmonetary settlements involving injunctive~~  
6 ~~relief related to matters within the responsibility of the district~~  
7 ~~superintendent. For purposes of this authority, Section 35190~~  
8 ~~does not apply to the LAUSD.~~

9 (e)

10 (b) The intent of the Legislature in enacting this section is to  
11 transfer the responsibility for fiscal operations from the board to  
12 the district superintendent. This section does not alter the  
13 requirements related to the employment rights of any district  
14 employees pursuant to Part 25 (commencing with Section 44000)  
15 ~~of the Education Code~~ *this code* or Chapter 10.7 (commencing  
16 with Section 3540) of Division 4 of Title 1 of the Government  
17 Code, or any applicable collective bargaining agreement or  
18 contract. This section does not alter any law regarding the  
19 procedures for school districts to execute or amend contracts.

20 35913. (a) The district superintendent annually shall present  
21 a proposed budget for the LAUSD for the succeeding fiscal year  
22 at a public meeting of the council of mayors established pursuant  
23 to Article 3 (commencing with Section 35920) to be held in May  
24 of each year.

25 (b) The council of mayors shall have an opportunity to review  
26 and comment on the proposed budget prior to the consideration  
27 and adoption of the budget by the board.

28 (c) The board shall have the final approval of any revenue and  
29 expenditure allocations at the object-level, which includes  
30 categories of expenditures, but not the individual line item level  
31 of expenditures proposed within those categories. The board shall  
32 approve any revisions of the budget that would result in a change  
33 of revenue or proposed object-level expenditure. The board or  
34 the council of mayors shall not revise proposed expenditures that  
35 are more specific than object-level expenditures, including, but  
36 not limited to, line-item level of expenditures.

37 (d) The district superintendent is responsible for performing  
38 fiscal reporting requirements to the county office of education,  
39 the department, and Superintendent.

1 35914. (a) The board shall employ administrative staff that  
2 serves the board. Individual members of the board shall not  
3 employ administrative staff. The board shall have the power to  
4 make the employment decisions related to the staff, except to the  
5 extent that it would violate the terms of any applicable collective  
6 bargaining agreement or contract under which the staff are  
7 employed.

8 (b) The district superintendent shall manage all personnel of  
9 the LAUSD other than the administrative staff of the board,  
10 except that the board shall retain the power to appoint and to  
11 make other employment decisions related to the inspector general  
12 of the LAUSD pursuant to Section 35400.

13 35915. (a) (1) The district superintendent and board, when  
14 selecting curriculum and instructional materials *for the LAUSD*,  
15 shall ensure that:

16 ~~(1)~~

17 (A) Teachers and certificated staff have an authentic and  
18 central role.

19 ~~(2)~~

20 (B) A majority of curriculum committee participants are  
21 classroom teachers.

22 ~~(3)~~

23 (C) Basic instructional materials for kindergarten and grades 1  
24 to 8, inclusive, are state board adopted materials.

25 ~~(4)~~

26 (D) Basic instructional materials for grades 9 to 12, inclusive,  
27 are aligned to state content standards, if content standards exist  
28 for the applicable subjects.

29 ~~(5)~~

30 (E) There is a wide selection of supplemental instructional  
31 materials that are consistent with the needs of pupils and  
32 available for use at schoolsites.

33 (2) *This subdivision does not prevent the board from requiring*  
34 *that the same basic instructional materials be used in all schools*  
35 *of the LAUSD.*

36 (b) The board shall retain its authority to establish the  
37 requirements for graduation from high school pursuant to  
38 paragraph (2) of subdivision (a) of Section 51225.3.

39 35916. (a) (1) The district superintendent shall develop and  
40 manage a facilities program for the LAUSD. This program may

1 include, but not be limited to, the development of a strategic plan  
2 regarding facilities for the LAUSD and the management of all  
3 phases of construction of school facilities of the district.

4 (2) The council of mayors established pursuant to Section  
5 35920 shall advise the district superintendent regarding the  
6 facilities program pursuant to the authority granted to the council  
7 under subdivisions (a) and (b) of Section 35923. However,  
8 notwithstanding that authority, the district superintendent shall  
9 retain all decisionmaking power regarding the facilities program.

10 (3) The LAUSD, through the district superintendent, is subject  
11 to all laws regarding the review and approval of decisions of the  
12 district by state agencies regarding school facilities of the district.

13 (b) Eminent domain proceedings related to school facilities of  
14 the district require the approval of the board.

### 15 Article 3. Council of Mayors

16  
17  
18 35920. (a) The council of mayors is hereby established and  
19 shall be comprised of the mayors of each city any part of which  
20 is located within the attendance boundaries of the LAUSD and  
21 each member of the Los Angeles County Board of Supervisors  
22 whose supervisorial district includes any unincorporated portion  
23 of the county that is located within the attendance boundaries of  
24 the LAUSD.

25 (b) In exercising any of the duties described in this chapter, the  
26 council of mayors shall act by a majority of the weighted vote of  
27 the total membership of the council. The weighted vote of each  
28 member of the council of mayors is equal to the proportion of the  
29 population of the LAUSD that are residents of the city of the  
30 individual member, or unincorporated area of the county for any  
31 member of the county board of supervisors, to the total  
32 population of residents of the LAUSD.

33 35921. (a) Notwithstanding any other provision of law, the  
34 council of mayors may select a representative to participate in all  
35 aspects of the selection and evaluation by board of the district  
36 superintendent, including, but not limited to, the search for  
37 potential candidates and the setting of compensation. This right  
38 includes access, by the representative of the council of mayors, to  
39 closed session meetings of the board in which any of these

1 matters regarding the selection and evaluation of the district  
2 superintendent are to be discussed.

3 (b) The appointment, contract term, contract renewal, or  
4 removal of the district superintendent shall be ratified by the  
5 council of mayors. If the council of mayors fails to act within 30  
6 days of the submission of one of these actions by the board, the  
7 action shall be deemed ratified. *If the council of mayors refuses*  
8 *to ratify the appointment, contract term, contract renewal, or*  
9 *removal of the district superintendent, the council of mayors*  
10 *shall communicate the reasons for their refusal to the board.*

11 (c) The council of mayors and its representative shall comply  
12 with all legal requirements applicable to the board and its  
13 members concerning the matters set forth in this subdivision,  
14 including, but not limited to, the Ralph M. Brown Act (Chapter 9  
15 (commencing with Section 54950) of Division 2 of Title 5 of the  
16 Government Code) and the Political Reform Act of 1974 (Title 9  
17 (commencing with Section 81000) of the Government Code).

18 35922. The district superintendent shall provide each School  
19 Accountability Report Card required by Section 35256 for each  
20 school of the LAUSD to the council of mayors on an annual  
21 basis for review and comment. Each School Accountability  
22 Report Card shall be provided to the council of mayors at least  
23 two weeks before the report card is released to the public.

24 35923. The council of mayors shall have all of the following  
25 roles:

26 (a) Oversight over an expanded and transparent process for  
27 creating, coordinating, supporting, and completing joint-use  
28 projects that involve the LAUSD.

29 (b) Providing local governmental input in the development of  
30 school construction strategic plans and determining the location  
31 of schoolsites for the LAUSD.

32 (c) In cooperation with the LAUSD, conducting and reviewing  
33 an asset management audit to ensure greater coordination in the  
34 delivery of local governmental services for children and families  
35 within the LAUSD and between local governmental and LAUSD  
36 public safety departments.

37  
38 Article 4. The Los Angeles Mayor's Community Partnership  
39 for School Excellence  
40

1 35930. This article shall be known, and may be cited, as “The  
2 Los Angeles Mayor’s Community Partnership for School  
3 Excellence.”

4 35931. (a) The Mayor of the City of Los Angeles, in  
5 partnership with the LAUSD, parent and community leaders and  
6 organizations, and school personnel and employee organizations,  
7 shall, as part of a demonstration project, have oversight over  
8 three clusters of the lowest-performing schools in different  
9 geographic areas within the LAUSD. Each cluster shall include a  
10 high school that is ranked in decile 1 on the Academic  
11 Performance Index, pursuant to Section 52056, and its feeder  
12 middle and elementary schools.

13 (b) The high schools for each cluster shall be selected by the  
14 mayor and the district superintendent, and shall take into account  
15 the academic status of each school and the interests of the school  
16 community. If the mayor and the district superintendent do not  
17 agree on the high school for the first cluster on or before  
18 February 1, 2007, for the second cluster on or before March 1,  
19 2007, and for the third cluster on or before April 1, 2007, the  
20 Superintendent shall select the high school for the cluster within  
21 30 days of the applicable deadline. These deadlines are  
22 maximum time periods, but all parties shall act with diligence to  
23 permit achievement of the objective of each cluster joining the  
24 demonstration project in the 2007–08 school year.

25 (c) The purpose of the demonstration project is as follows:

26 (1) To achieve all of the following pupil learning expectations:

27 (A) Significantly improved pupil learning based on the  
28 academic standards of the state, graduation requirements, and  
29 other standards that may be developed by the partnership  
30 described in subdivision (a).

31 (B) Significantly improved graduation rates and significantly  
32 reduced dropout rates.

33 (C) A reduction in the academic achievement gap between  
34 Latino, African-American, White, and Asian pupils, so that all  
35 pupils are attaining similar, acceptable levels of academic  
36 achievement.

37 (D) Parent satisfaction with the schools that their children  
38 attend.

39 (E) English language learner success.

40 (2) To achieve all of the following school expectations:



1 (A) All schools are clean and safe places for pupils and school  
2 staff.

3 (B) Each pupil has a qualified teacher who has had appropriate  
4 professional development for the grade or grades and subject or  
5 subjects that he or she teaches.

6 (C) Each school has a principal who has had high quality  
7 professional development to improve his or her ability as an  
8 educational leader to assist in improving teaching and learning,  
9 in building strong educational teams, and in promoting parental  
10 involvement and community relations.

11 (D) Transparency in the fiscal affairs of the operations of each  
12 school.

13 (E) Teachers and parents are full partners in the decisions that  
14 affect the schools.

15 (F) The school community is held accountable for the  
16 achievement of the goals described in this section.

17 35932. (a) Notwithstanding any other provisions of law, and  
18 except for the authority to negotiate collective bargaining  
19 agreements, all authority exercised by the board and the district  
20 superintendent with respect to the schools in the demonstration  
21 project shall be transferred to the partnership described in  
22 subdivision (a) of Section 35931, which is directed by the mayor.  
23 In a manner consistent with districtwide collective bargaining  
24 agreements, the partnership shall seek waivers from the state  
25 board and authority to operate the schools in the demonstration  
26 project with maximum flexibility and efficiency.

27 (b) The schools in the demonstration project shall continue to  
28 exist as district schools and shall not be deemed to be charter  
29 schools.

30 (c) The schools in the demonstration project shall continue to  
31 be funded with existing resources, including appropriate average  
32 daily attendance revenue and categorical funding generated by,  
33 or granted based on, the pupils in the schools in each cluster, and  
34 private donations.

35  
36 Article 5. Program Evaluation  
37

38 35940. (a) The Legislative Analyst shall contract for an  
39 evaluator to perform all of the following:

1 (1) Conduct an interim evaluation of the effectiveness of the  
2 programs authorized under this chapter to be completed on or  
3 before January 1, ~~2009~~ 2008.

4 (2) Conduct a final evaluation to be completed by January 1,  
5 2011.

6 (3) Report to the Legislature and the Governor on the final  
7 evaluation completed pursuant to paragraph (2) and, in that  
8 report, make recommendations to continue, modify, or terminate  
9 the programs by January 1, 2011, based upon the results in  
10 meeting the measurements described in subdivision (b).

11 (b) The evaluation of the effectiveness of the programs shall  
12 be based on a comparison of the LAUSD and its component  
13 schools and pupils in 2006 relative to the time of the evaluation  
14 of the LAUSD and its component schools and pupils. The  
15 evaluation shall include, but not be limited to, all of the  
16 following:

17 (1) Whether schools participating in the Los Angeles Mayor's  
18 Community Partnership for School Excellence, other schools in  
19 the LAUSD, and the LAUSD as a whole accomplished the  
20 following:

21 (A) Significantly improved pupil learning based on the  
22 academic standards of the state, graduation requirements, and  
23 other standards for assessing the achievement of pupils.

24 (B) Significantly improved graduation rates and significantly  
25 reduced dropout rates.

26 (C) Reduced the academic achievement gap between Latino,  
27 African-American, White, and Asian pupils, so that all pupils are  
28 attaining similar, acceptable levels of academic achievement.

29 (D) Provided parent satisfaction with the schools that their  
30 children attend.

31 (E) Ensured English language learner success.

32 (2) Whether schools participating in the Los Angeles Mayor's  
33 Community Partnership for School Excellence, other schools in  
34 the LAUSD, and the LAUSD as a whole accomplished, and to  
35 what degree they accomplished, the following:

36 (A) Made all schools clean and safe places for pupils and  
37 school staff.

38 (B) Ensured that each pupil has a qualified teacher who has  
39 had appropriate professional development for the one or more  
40 grades and subjects that he or she teaches.

1 (C) Ensured that each school has a principal who has had high  
2 quality professional development to improve his or her ability as  
3 an educational leader to assist in improving teaching and learning  
4 at the school to which he or she is assigned, in building strong  
5 educational teams, and in promoting parental involvement and  
6 community relations.

7 (D) Ensured transparency in the fiscal affairs of the schools  
8 and district.

9 (E) Made teachers and parents full partners in the decisions  
10 that affect schools.

11 (F) Decentralized the district to reduce bureaucracy and to  
12 transfer resources to schools and classrooms.

13 (G) Ensured that class sizes are at or below statewide averages  
14 for the corresponding grade levels.

15 (H) Ensured that the district and schools are able to attract and  
16 retain quality teachers.

17 (I) Held the school community segments accountable for the  
18 achievement of the above-described goals.

19  
20 Article 6. Repeal  
21

22 35950. This chapter shall remain in effect only until January  
23 1, 2013, and as of that date is repealed, unless a later enacted  
24 statute, that is enacted before January 1, 2013, deletes or extends  
25 that date.

26 SEC. 3. The Legislature finds and declares that a special law  
27 is necessary and that a general law cannot be made applicable  
28 within the meaning of Section 16 of Article IV of the California  
29 Constitution because of the unique circumstances that have  
30 resulted in the Los Angeles Unified School District facing more  
31 serious challenges to the achievement of pupils and schools than  
32 most other school districts.

33 SEC. 4. If the Commission on State Mandates determines that  
34 this act contains costs mandated by the state, reimbursement to  
35 local agencies and school districts for those costs shall be made  
36 pursuant to Part 7 (commencing with Section 17500) of Division  
37 4 of Title 2 of the Government Code.

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